



**KILPATRICK
STOCKTON LLP**

Attorneys at Law

Suite 2800 1100 Peachtree St.
Atlanta GA 30309-4530
t 404 815 6500 f 404 815 6555
www.KilpatrickStockton.com

direct dial 404 815 6530
direct fax: 404 541 3406
GSutcliffe@KilpatrickStockton.com

October 29, 2002

FAX

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Examiner S. Meinecke Diaz	1.703.746.7239	USPTO Arlington, VA

Geoff L. Sutcliffe
FROM

4
PAGES (WITH COVER)

2712
REFERENCE NO

36968/177618
CLIENT/MATTER NO.

PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.

CONFIDENTIALITY NOTE:

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

COMMENTS

The "Return Receipt" of facsimile transmission of the U.S. Patent and Trademark Office will acknowledge receipt of:

Applicant: William M. Seal et al.
Title: Outside Plant Construction Management Systems and Methods
Serial No./Docket No.: 09/151,666 36968/177618
Filing Date: 09/11/1998

PAPERS SUBMITTED:

1. Form PTO/SB/21 Transmittal Form; and
2. Request for Consideration of Preliminary Amendment.

Date: October 29, 2002
By: Geoff L. Sutcliffe, Reg. No. 36,348

TO BE COMPLETED BY KS OPERATIONS CENTER

TRANSMISSION RECEIPT DATE/TIME: _____

COMPLETED BY: _____ JOB CODE _____

ATLANTA AUGUSTA BRUSSELS CHARLOTTE LONDON MIAMI RALEIGH RESTON STOCKHOLM WASHINGTON WINSTON-SALEM
ATL001 134733.1

Received from <4048156555> at 10/29/02 2:57:49 PM [Eastern Standard Time]

PTO/SB/21 (08-00)

Approved for use through 10/31/2002, OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/151,668
	Filing Date	09/11/1998
	First Named Inventor	William M. Seal et al.
	Group Art Unit	2151
	Examiner Name	S. Meinecke Diaz
Total Number of Pages in This Submission	Attorney Docket Number	36968/177618

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Consideration of Preliminary Amendment
Remarks		FAX RECEIVED OCT 29 2002 GROUP 3600
Official		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Geoff L. Sutcliffe, Reg. No. 36,348 KILPATRICK STOCKTON LLP
Signature	<i>Geoff Sutcliffe</i>
Date	10-29-02

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax no. 703.746.7239 on <u>10/29/02</u>			
Typed or printed name	Janie Wilkins		
Signature	<i>Janie Wilkins</i>	Date	10/29/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

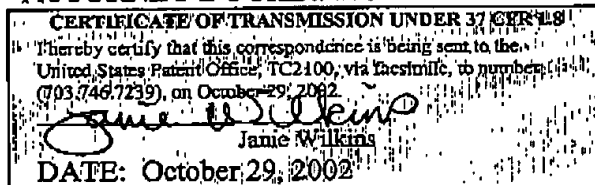
APPLICANT: William M. Seal et al.

SERIAL NO.: 09/151,666 GROUP ART 2151
UNIT:

FILED: September 11, 1998 EXAMINER: S. MEINECKE DIAZ

FOR: OUTSIDE PLANT CONSTRUCTION MANAGEMENT
SYSTEMS AND METHODSAssistant Commissioner for Patents
Washington, D.C. 20231

ATTORNEY DOCKET NO.: 36968/177618

REQUEST FOR CONSIDERATION OF PRELIMINARY AMENDMENT

FAX RECEIVED

Dear Sir:

OCT 29 2002


Official

A Preliminary Amendment was filed in the above identified patent application on August 16, 1999, which canceled claims 1 to 4 and added new claims 5 to 42. A non-final Office Action was later issued on August 30, 2002, which contained a rejection of claims 1 to 4. This Office Action, however, did not consider the earlier filed Preliminary Amendment.

The Examiner is respectfully requested to withdraw the non-final Office Action and reexamine the patent application in light of the Preliminary Amendment. The undersigned attorney contacted the Patent Examiner on September 16, 2002, and was informed that the new Office Action would be forthcoming. This Request repeats the verbal request and seeks

confirmation that the patent application will be reexamined in light of the Preliminary
Amendment.

Respectfully submitted,


Geoff L. Sutcliffe
Reg. No. 36,348

KILPATRICK STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4530
(404) 815-6530